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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,379	02/06/2004	Osamu Kozakai	248508US6X	6778
22850 7590 09/13/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
			EXAMINER SAMS, MATTHEW C	
			ART UNIT 2617	PAPER NUMBER
			NOTIFICATION DATE 09/13/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<p align="center"><b>Office Action Summary</b></p>	<p><b>Application No.</b></p> <p align="center">10/772,379</p>	<p><b>Applicant(s)</b></p> <p align="center">KOZAKAI ET AL.</p>	
	<p><b>Examiner</b></p> <p align="center">Matthew C. Sams</p>	<p><b>Art Unit</b></p> <p align="center">2617</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

1. This office action is in response to the amendment filed on 7/27/2007.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6- are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikido et al. (US-2003/0058177 hereinafter, Nishikido) in view of Tay et al. (US-6,281,851 hereinafter, Tay).

Regarding claim 6, Nishikido teaches a portable wireless apparatus (Page 2 [0024]), comprising:

a conductor board (Fig. 8D [14])

a box shaped shield member (Fig. 8C [10 & 11] & Fig. 8D [14a]) having an electrical length about half that of said conductor board (Fig. 5 [10], Fig. 8D [10], Page 5 [0071] and [0077]) and having an opening at a top thereof to receive said conductor board therein so that said box-shaped shield member has an inside surface that faces a surface of said conductor board and a bottom of said conductor board is electrically connected to a bottom of said box-shaped shield member; (Fig. 8D and Page 5 [0079] through Page 6 [0081]) and

a feeding mechanism (Fig. 8C [4]) configured to supply power to around a center of said conductor and at the top of said box-shaped shield member. (Page 5 [0068])

Nishikido differs from the claimed invention by not explicitly reciting the conductor board includes at least a circuit board.

In an analogous art, Tay teaches an antenna system that includes a conductor board including at least a circuit board. (Fig. 1 [13]) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement the portable wireless apparatus of Nishikido after modifying it to incorporate the conductor board including a circuit board of Tay. One of ordinary skill in the art would have been motivated to do this since it is well known that a circuit board can function as a conductor board. (Col. 3 lines 35-43)

Regarding claim 7, Nishikido in view of Tay teaches the electrical length of said box-shaped shield member corresponds to about a quarter wavelength of a radio wave transmitted by said portable wireless apparatus. (Nishikido Page 7 [0110] & Tay Col. 3 lines 53-61)

Regarding claim 8, Nishikido in view of Tay teaches said box-shaped shield member comprises a metal coating on an inside of a housing of said portable wireless apparatus. (Tay Fig. 2 & 3 [14])

### ***Response to Arguments***

4. Applicant's arguments with respect to claim 6 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Sams whose telephone number is (571)272-8099. The examiner can normally be reached on M-F 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MCS  
8/29/2007

  
LESTER G. KINCAID  
SUPERVISORY PRIMARY EXAMINER